

Application No. UP-654-05, Apple Door Systems: Request for a Special Use Permit, pursuant to Section 24.1-306 (Category 15, No. 4b) of the York County Zoning Ordinance, to authorize a contractor's shop with outdoor storage. The property is located at 1625 Merrimac Trail (Route 143) and is further identified as Assessor's Parcel No. 15-10-3.

Mr. Earl Anderson, Planner, gave the staff report as presented in a memorandum to the Commission dated December 29, 2004, in which the staff recommended approval.

Mr. Barba inquired if the applicant planned to include truck storage.

Chair Simasek opened the public hearing.

Mr. Robert Heath, 2905 Robert Hunt South, Williamsburg, spoke in behalf of his application. He proposed to store commercial and industrial garage and overhead doors inside the warehouse and the outdoor storage would be for overflow inventory only. He said his business has been very successful and has outgrown its current facility. He showed photographs of the garage door materials to the members. **Mr. Heath** added that no outdoor storage would be taller than six feet and some would be covered with tarpaulins. He said on-site storage would not be used for larger jobs, in which cases the doors are shipped from his vendors to the job sites. He said in other instances, the doors would be loaded onto a one-ton truck at his facility and transported to the job sites, usually the morning of the job.

Mr. Staton remarked on the excellent location for this facility.

Mr. Simasek asked if the storage yard could be seen from outside the fenced area. **Mr. Anderson** replied that some residents of Carver Gardens could possibly see inside the area from their higher elevation, but otherwise there would be no public view into the storage yard unless the gate was open.

Mr. Heath believed his proposal represented a good use of the property and he intended to add landscaping and clean the retention pond to enhance the appearance of the property. Hearing no others who wished to speak, **Chair Simasek** closed the public hearing.

Mr. Hamilton suggested it might be advisable to add two feet to the height of the fence.

Mr. Ptasznik said the application represented a good opportunity to clean up the area and he believed it would be a good addition to that corridor.

Mr. Barba commended the applicant for his plans to improve the appearance of the property.

Mr. Ptasznik moved to adopt proposed Resolution No. PC05-2.

PC05-2

On motion of Mr. Ptasznik, which carried 6:0 (Mr. Harvell absent), the following resolution was adopted:

**A RESOLUTION TO RECOMMEND APPROVAL OF A SPECIAL USE PERMIT
TO AUTHORIZE AN OUTDOOR STORAGE YARD ASSOCIATED WITH A
CONTRACTOR'S SHOP AT 1625 MERRIMAC TRAIL**

WHEREAS, Apple Door Systems has submitted Application No. UP-654-05, which requests a Special Use Permit, pursuant to Section 24.1-306 (Category 15, No. 4b) of the York County Zoning Ordinance to authorize a 1,500 square foot outdoor storage yard associated with a contractor's shop on a 0.69-acre parcel of land located at 1625 Merrimac Trail (Route 143) and further identified as Assessor's Parcel No. 15-10-3; and

WHEREAS, said application has been referred to the York County Planning Commission in accordance with applicable procedure; and

WHEREAS, the Planning Commission has conducted a duly advertised public hearing on this application; and

WHEREAS, the Commission has carefully considered the public comments and staff recommendation with respect to this application;

NOW, THEREFORE, BE IT RESOLVED by the York County Planning Commission this the 12th day of January, 2005 the Application No. UP-654-05 be, and it is hereby, transmitted to the York County Board of Supervisors with a recommendation of approval to authorize 1,500 square feet of outdoor storage yard associated with a contractor's shop on a 0.69-acre parcel of land located at 1625 Merrimac Trail (Route 143) and further identified as Assessor's Parcel No. 15-10-3, subject to the following conditions:

1. This use permit shall authorize approximately 1,500 square feet of outdoor storage yard associated with a contractor's shop on a 0.69-acre parcel of land located at 1625 Merrimac Trail (Route 143) and further identified as Assessor's Parcel No. 15-10-3.
2. The outside storage area shall be located within the rear yard of the parcel and screened with six-foot high opaque fence constructed of materials as approved by the Zoning Administrator. Until such time as the adjacent mini-storage warehouse building is removed, no additional fencing or landscaping shall be required along the northern and eastern property lines. At such time as the building is demolished, a six-foot high opaque fence with additional landscape plant screening pursuant to Section 24.1-486 shall be installed with a planting spacing of no more than 10 (ten) feet on center.
3. Off-street parking shall be provided in accordance with the Zoning Ordinance, *Article VI. Off-Street Parking and Loading*. All parking spaces in the rear shall be defined to separate the spaces from the outdoor storage area.
4. The rolling gate shall remain closed at all times except when employee or delivery vehicle traffic would prevent closure.

5. Existing trees and shrubs on the property shall be maintained to the maximum extent possible. Existing landscaping at the front building perimeter and fencing shall not be removed except with permission from the Zoning Administrator and only if replaced with landscaped plantings approved by the Zoning Administrator.
6. Existing plantings within the front yard area shall be supplemented with a mix of evergreen and deciduous shrubs meeting the requirements of Zoning Ordinance Section 24.1-242 (h).
7. Contractor's equipment and materials (excluding vehicles) kept within the storage area shall not exceed the height of the surrounding fencing.
8. In accordance with the Building Officials Code of America; National Fire Prevention Code, contractor's materials stored outside shall not be stored closer than 15 feet from any lot line or building on the property.
9. Materials stored outside on the property shall be limited to those associated with a garage and custom door sales and installation contractor's business, and shall not include junk, solid waste, construction debris or hazardous waste as defined in Chapter 19, Section 19.1 and/or Chapter 24, Section 24.1-104 of the County Code. In addition, the storage yard shall comply with the performance standards under Section 24.1-486.
10. Vehicles stored on the property shall be limited to light-duty cars, trucks and vans associated with the garage and custom door sales and installation contractor's business, and shall not include heavy construction equipment or vehicles.
11. All site lighting shall be designed with full cutoff fixtures and directed downward to prevent off-site glare on to abutting properties and the road right-of-way. Illumination levels shall not exceed 0.5 foot-candle at any property line. All lighting fixtures shall be consistent with the lighting recommended by the Illumination Engineering Society of North America (IESNA). Freestanding lighting fixtures shall be fitted with high-pressure sodium lamps.
12. In accordance with Section 24.1-115(b)(6) of the York County Zoning Ordinance, a certified copy of the resolution authorizing this Special Use Permit shall be recorded at the expense of the applicant in the name of the property owner as grantor in the office of the Clerk of the Circuit Court.
